



*Town of Tyngsborough*  
*Planning Board*  
25 Bryants Lane,  
Tyngsborough, Massachusetts 01879-1003  
Office: (978) 649-2300 ext. 115

MINUTES  
September 15, 2011  
**APPROVED**

Attachments:

1. Meeting Agenda
2. Planning Board Hearing Continuance Form for 81 Westford Rd. – 9/15/11
3. Building Department Special Permit Violation Letter to 30 Progress Ave. – 9/15/2011

Members Present: Steve Nocco  
Tom Delmore  
Bill Gramer  
Steve O'Neill  
Jesse Johnson, David E. Ross Associates  
Pamela Berman, Administrative Assistant

Members Absent: Caryn DeCarteret

**7:00pm -** Meeting called to order by Chairman Steve Nocco

**7:02pm -** **81 Westford Rd. (M21, P4, L0)** – Special Permit and Site Plan Special Permit in connection to the proposed construction of a commercial development consisting of 1 free standing building to contain a Honey Dew Donuts, and another building dedicated to additional retail/office entities.

**S. O'Neill:** Motion to waive the reading of the legal notice and abutters list.

**T. Delmore:** 2<sup>nd</sup> the motion

**In Favor: 4 Opposed: 0 Absent: 1**

**Passes: 4-0-1**

Due to scheduling conflicts on multiple fronts, the applicant has requested to postpone the opening of this hearing until October 6, 2011.

**S. O'Neill:** Motion to continue this hearing until October 6, 2011

**T. Delmore:** 2<sup>nd</sup> the motion

**In Favor: 4 Opposed: 0 Absent: 1**

**Passes: 4-0-1**

**Discussion:**

**321 Westford Rd. Flood Plain Work**

Homeowner John Coburn appeared before the Board with an update on the status of the engineer work being done to facilitate fulfilling the Special Permit application requirements. Mr. Coburn reported that his engineer has researched the site and drew up some plans based on his findings. Mr. Coburn asked the Planning Board for guidance with the next step. J. Johnson said that he would visit the site and make some recommendations. The Board felt that the Conservation Commission should take the lead on this filing with regards to their requirements for compliance. Ms. Berman noted that the Conservation Commission is requiring a Notice of Intent filing which should be done concurrently with the Planning Board's Special Permit filing for work done in the Flood Plain. Mr. Coburn said that he would work with Conservation to move forward with that filing while also working on the Planning Board's Special Permit application.

**Administrative**

**S. O'Neill:** Motion to approve the minutes from September 1, 2011

**T. Delmore:** 2<sup>nd</sup> the motion

**In Favor: 4 Opposed: 0 Absent: 1**

**Passes: 4-0-1**

**7:30pm**

**S. O'Neill:** Motion to adjourn

**T. Delmore:** 2<sup>nd</sup> the motion

**In Favor: 4 Opposed: 0 Absent: 1**

**Passes: 4-0-1**

Minutes respectfully submitted by  
Pamela Berman  
Planning Board Administrative Assistant